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FROM:

Richard E. Cunningham, Director

Division of Fuel Cycle and Material Safety, MSS

SUBJECT:

POLICY AND GUIDANCE DIRECTIVE FC 83-23:

TERMINATION OF BYPRODUCT, SOURCE AND SPECIAL

MUCLEAR MATERIAL LICENSES

The enclosed final rule specifies licensee responsibility and requirements for terminating a license issued under 10 CFR Parts 30, 40 and 70. Among other things, a licensee is required to submit on or before the expiration Jate a radiation survey report to confirm the absence of radioactive materials or to specify existing levels of residual radioactive contamination present from past operations. A survey report is not required if a licensee can demonstrate the absence of radioactive contamination in some other manner, such as the use only of sealed sources that never showed evidence of leakage. If detectable levels of residual radioactive contamination attributable to licensed operations are found, the license continues in force until the Commission notifies the licensee in writing that the license is terminated. The purpose of this memoranoum is to provide guidance to the Regions and Headquarters staff on the findings that need to be made before written notification is given that the license is terminated.

## Review Procedure

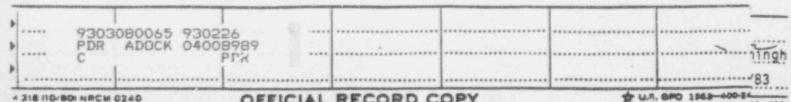
Before terminating a license where residual radioactive material contamination is present from past licensed operations, MRC should determine whether:

- 1. a reasonable effort has been made to eliminate residual contamination, and
- residual radioactive contamination is acceptably low to permit unrestricted release of the affected facilities.

If the levels of residual radioactive contamination on surfaces and in soil are a small fraction of those normally acceptable for unrestricted release (see Section below). It is not necessary for the licensee to describe the efforts he has made to reduce contamination levels.

Policy and Guidance Directive FC 83-3: Standard Review Plan (SRP) for Termination of Special Nuclear Naterial Licenses for Fuel Cycle Facilities, contains information that is generally useful for terminating any byproduct. source or special nuclear material license.

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In most cases involving short half-life radionuclides or operations involving only sealed sources, an independent confirmatory survey by the will not be necessary. Confirmatory surveys should always be made if the licensee's survey report appears suspect or past licensee operations involved the chemical processing of hundreds of milligrams of plutonium, tens of kilograms of enriched uranium 235 or hundreds of kilograms of source material. For materials licensees which used and processed hundreds of millicuries of long half-life radionuclides (> 1 yr). confirmatory surveys should also be made in all cases. If it is determined that a confirmatory survey will be made, a notice should be sent to the licensee informing him that the equipment and facilities should be held for IRC inspection. Discretion may be exercised as to whether a confirmatory survey is to be made if there is information available, such as inspection reports, which provides a basis for acceptance of the licensee's survey.

## Contamination Levels Cenerally Acceptable for Unrestricted Release

- o Surface Contamination See Enclosure 2
- o Soil Contamination See Enclosure 3
- O Hater Contamination If surface or groundwater contamination is below EPA's Hational Interim Primary Drinking Water Regulations (EPA 570-9-76-003), the contamination is acceptable for unrestricted release.

If the levels of contamination exceed the levels discussed above and a judgment is made that further efforts to reduce the contamination is not necessary for termination of the license, an environmental impact assessment should be made to support the termination. Such cases should be brought to the attention of the Director of the Division of Fuel Cycle and Material Safety, NMSS, before the termination is dispatched.

Original Sigmod by D. R. Chapell

Richard E. Cunningham. Director Division of Fuel Cycle and Paterial Safety, HMSS

Enclosures:

1. Final Pule: Amendments to
10 CFR Parts 20, 40 and 70
Specifying Licensee Responsibility
for Nuclear Laterials and Procedures
for Tendination of Specific Licenses

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2. Cuidelines for Decontamination of Facilities
and Equipment Prior to Release for
Unrestricted Use or Termination of Licenses
for Byproduct, Source, or Special Nuclear \*See previous concurrence sheets

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